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**Attorneys for Defendant**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**PIROUZ SEDAGHATY,**

**Defendant.**

**CR 05-60008**

**EXPANDED MOTION TO COMPEL  
THE GOVERNMENT TO UTILIZE THE  
MUTUAL LEGAL ASSISTANCE  
TREATY ON BEHALF OF MR.  
SEDAGHATY AND/OR TO ISSUE  
LETTERS ROGATORY AND OR TO  
UTILIZE THE PROCEDURES UNDER  
18 U.S.C. §3491 et. seq.**

By motion dated January 15, 2010, Mr. Sedaghaty moved this Court to direct the United States government to utilize its resources to assist in obtaining evidence from the

Kingdom of Saudi Arabia and/or to issue Letters Rogatory. By this pleading, Mr. Sedaghaty expands that request to include additional documents. Copies of most of the documents sought are attached hereto as exhibits 1-18.<sup>1</sup> As with the first documents requested, these documents are necessary for Mr. Sedaghaty to rebut the government's allegation that the money taken from the country by Mr. Al Buthe was used to fund Chechen Mujahideen. Mr. Sedaghaty believes that all of the documents are in the possession of the government of Saudi Arabia. Mr. Sedaghaty incorporates all of the arguments contained in his earlier pleading regarding use of the government's resources and the relevance of, and need for, the evidence. CR 247 and 251.

While Mr. Sedaghaty is requesting government and judicial assistance to obtain certified copies of documents from Saudi Arabia, as reflected in the exhibits attached to this motion, he is in possession of copies of many of the documents he seeks. He believes that many are admissible in the form in which he currently possesses them under one or more of the Rules of Evidence. Some are government records and statements; some are business records.

With respect to exhibits 1-18, this motion is only necessary if the government will be opposing Mr. Sedaghaty's introduction of the exhibits.

To the extent that the government will oppose his introduction of some or all of the records, and the Court sustains such opposition, Mr. Sedaghaty believes that utilization of

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<sup>1</sup> So this Court would need to send only one Letter Rogatory, if that is the relief the Court grants, Mr. Sedaghaty has incorporated within this request the documents he sought in his earlier request as well as his request for the deposition or testimony of Sami Al Sanad.

the procedure set forth in 18 U.S.C. § 3491 et seq. may be a more efficient method by which he can obtain the evidence he seeks. That statute provides that the Court may issue a commission to a consular official of the United States to determine the authenticity of foreign documents that a party seeks to introduce in a domestic court proceeding. Mr. Sedaghaty has suggested to the government that it consider this procedure but is unaware of its position.

The documents Mr. Sedaghaty will seek to introduce in evidence and for which he alternatively seeks United States government assistance, or a Letter Rogatory, or a commissions pursuant to 18 U.S.C. § 3491 are:

1. Al Haramain Islamic Foundation voucher # 263867;
2. Al Haramain Islamic Foundation voucher # 262740;
3. a summary report from Al Haramain charity Foundation to Soliman Al Buthe regarding the deposits made by Soliman Al Buthe;
4. an Al Haramain Islamic Foundation affidavit regarding the monies deposited by Soliman Al Buthe;
5. High Order No. 7/B/1863 dated 3/2/1420 signed by Fahad bin Abdulaziz (Albanian High Order);
6. High Order No. 7/B/ 12089 dated 1/8/1420AH signed by Abdullah bin Abdulaziz Al-Saud, Deputy Prime Minister (Chechnya High Order);
7. Saudi Joint Relief Committee (SJRC) for the Aid of the People of Kosovo, Organizational Charter of the SJRC for the Aid of the People of Kosovo;

8. Memo to His Excellency Minister of Finance and National Economy from President of Council of Ministers No. 7165 dated 5/12/1420 AH;
9. Order of the King of the Kingdom of Saudi Arabia Number A/1 dated 6/1/1425 H;
10. Memorandum Reference 1/20/2, dated 25/7/1420 H. from Salih Mohammad al-Duhayshi;
11. Telegram to His Royal Highness the Minister of the Interior, No. 12089/B/7, dated 1/8/1420 H signed Abdullah Bin Abdul Aziz, Deputy Prime Minister;
12. Minutes of the Meeting of the Chechnya Committee of Saudi Joint Relief Committee for Kosovo and Chechnya (Chechnya Committee) dated 24/9/1420 H., Approved by Dr. Abd al-Rahman al-Suwaylim, Chair of the Joint Saudi Committee;
13. The Saudi Joint Relief Committee for Kosovo and Chechnya (Chechnya Committee) Report, No. Ch3/1113, dated 10/11/1420 H., Signature Turki Bin Fahd Bin Jalawi Al Saud;
14. Saudi Joint Relief Committee for Kosovo and Chechnya (Chechnya Committee), No. Ch3/ dated—14— H. Brief Report of what the Chechnya Committee has achieved (Abroad);
15. Telegram No. 715/?/715 dated 1/4/1424 H., Recommendations, Signature Salih Bin Abd al-Aziz Bin Mohammad Al al-Shaykh;
16. Very Urgent Telegram No. 1/2/161 S, dated 22/1/1425 H., Signature Salih Bin Abd al-Aziz Bin Muhammad Al al-Shaykh;

17. Justice Minister Confirmation No. 72/S/S, dated 30/1/1425 H.; and,
18. Statement from the Al-Haramain Charity Foundation, Issued 3 May 2004, signature Khalid Bin Ubayd al Zahiri.

In addition to the documents attached as exhibits, Mr. Sedaghaty seeks a Letter Rogatory or assistance from the government to obtain an authenticated, certified copy of the entries of voucher numbers 263867 and 262740 in the log referenced in the summary report from Al Haramain Charity Foundation to Soliman Al Buthe regarding the deposits made by Soliman Al Buthe.

In addition to documents, Mr. Sedaghaty seeks the government's or Court's assistance to have the government of Saudi Arabia direct Mr. Sami 'Abd Al 'Aziz Al-Sanad to travel to Eugene, Oregon for the trial in June 2010. The government of the Kingdom of Saudi Arabia is aware of Mr. Al-Sanad's location. Mr. Sedaghaty also asks this Court, in the alternative, to request the government of the Kingdom of Saudi Arabia to make Mr. Al-Sanad available to be deposed by defense counsel and the government lawyers in this case.

Respectfully submitted this 22<sup>nd</sup> day of February, 2010.

/s/ Steven T. Wax  
Steven T. Wax, Federal Public Defender  
Attorney for Defendant

/s/ Lawrence Matasar  
Lawrence Matasar  
Attorney for Defendant